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Docket No.: 8827.014.00-US
(PATENT)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Earl D. Cox

Confirmation No. 4609

Application No.: 10/035,657

Group Art Unit: N/A

Filed: October 26, 2001

Examiner: Not Yet Assigned

For: FRAMEWORK FOR E-SERVICE
MANAGEMENT

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUN 09 2003

Dear Sir:

OFFICE OF PETITIONS

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

Additionally submitted are materials comprising the required reply as well as an explanation for the unintentional delay.

1. Required response to Notice of Incomplete Reply mailed on 5/9/2002. The complete reply includes the following:

1.1. Notice of Incomplete Reply: part 2, to be returned with response; and

1.2. A declaration by Jason Bragg, evidencing his co-inventorship of the invention disclosed in the above-identified application.

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2. Explanation for the unintentional delay. The explanation includes the following:

- 2.1. A Declaration by Pauline A Constantino of Panacya, Inc. setting forth the facts of the case (to which all referenced Exhibits are attached);
- 2.2. An assignment by Jason Bragg, evidencing his assignment of all rights in the above identified application to the assignee corporation Panacya, Inc. (See Exhibit 1);
- 2.3. The April 24th Confidentiality Agreement signed by Jason Bragg on April 24, 2000 (See Exhibit 2);
- 2.4. United States Patent and Trademark Office Notice of Recordation of Assignment Document for provisional application (See Exhibit 3);
- 2.5. An employee policy handbook for Panacya, Inc. (See Exhibit 4);
- 2.6. A Form signed by Jason Bragg indicating acknowledgment of Panacya's employee policy (See Exhibit 5);
- 2.7. Separation Agreement and General Release, signed by Jason Bragg (See Exhibit 6);
- 2.8. Confidentiality/Nondisclosure agreement signed by Jason Bragg on March 19, 2001 (See Exhibit 7);
- 2.9. A copy of the cover letter enclosed in Federal Express package sent to Jason Bragg on March 29, 2000, containing forms requiring his signature (See Exhibit 8);
- 2.10. Notice to File Missing Parts for the signatures of Earl Cox and Michael Cormier (See Exhibit 9);
- 2.11. Email to Jason Bragg, sent April 25, 2002, reminding him to sign the forms previously sent to him via Federal Express (See Exhibit 10);
- 2.12. Printout of confirmation message indicating successful delivery of email in Exhibit 11 (See Exhibit 11);

2.13. Notice of Incomplete Reply indicating that Jason Bragg's signature is missing (See Exhibit 12);

2.14. Forms evidencing change of power of attorney (See Exhibit 13); and

2.15. Cover letter enclosed within Federal Express packet sent to Jason Bragg, requesting that he either sign the enclosed assignment and declaration or sign a statement indicating that he refused to sign (See Exhibit 14).

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. It is submitted, therefore, that on the basis described above the abandonment should be held to be inadvertent, the enclosed Reply should be entered and the case revived.

Our check in the amount of \$1440.00, which covers the \$650.00 fee set forth in 37 CFR 1.17(m), the \$65.00 for the balance due in the Notice to File Missing Parts, and \$725.00 for four month extension under 37 CFR 1.17(a), is enclosed.

Dated: June 4, 2003

Respectfully submitted,

By 
Eric J. Nuss

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